

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KENNETH POSKIN, FINIAN POSKIN,  
his wife also known as POSKIN,

Plaintiffs,

vs.

Civil Action 06-463

TD BANKNORTH, N.A., formerly known as  
Banknorth, N.A., formerly known as Peoples  
Heritage Bank, N.A., and COASTAL  
FINANCIAL INC., t/d/b/a FIRST  
MANUFACTURED LOAN, RANDY R.  
McKINNEY, individually and in his capacity as  
an agent of Coastal Financial Inc.; DAVID M.  
DOHENY, individually and in his capacity as an  
agent of Coastal Financial Inc.; LINDA  
AMBROSE, individually and in her capacity as  
an agent of Coastal Financial Inc.; LEIGHTON  
COHEN, individually and in his capacity as  
agent of Coastal Financial Inc.; and ANTHONY  
SALAMONE, individually and in his capacity  
as agent and/or owner of Coastal Financial Inc.,

Defendants.

**ORDER**

**AND NOW**, this 11<sup>th</sup> day of September, 2009, upon consideration of the parties' arguments and supporting documents, **IT IS ORDERED** that the motion for summary judgment (Doc. No. 70) filed by defendant TD Banknorth, N.A. is **GRANTED IN PART AND DENIED IN PART**.

Summary judgment is **GRANTED** in favor of defendant TD Banknorth, N.A. and against Finian Poskin with respect to the claims set forth in count V, count VIII, and under 15 U.S.C. § 1679b(a)(1)(B)(ii) and § 1679 b(a)(2)(B)(ii) in count I. Summary judgment is

**GRANTED** in favor of defendant TD Banknorth, N.A. and against plaintiffs Kenneth Poskin and Finian Poskin with respect to the claims set forth in count II, count III, and count IX. The motion is **DENIED** in all other respects.

Judgment is entered in favor of defendant TD Banknorth, N.A. and against plaintiff Finian Poskin respect to the claims set forth in count V, count VIII, and under 15 U.S.C. § 1679b(a)(1)(B)(ii) and § 1679 b(a)(2)(B)(ii) in count I. Judgment is entered in favor of defendant TD Banknorth, N.A. and against plaintiffs Kenneth Poskin and Finian Poskin with respect to the claims set forth in count II, count III, and count IX.

By the court:

/s/ JOY FLOWERS CONTI  
Joy Flowers Conti  
United States District Judge